

REMARKS

Reconsideration of the subject application as amended herein is respectfully requested.

Drawing corrections:

Figs. 1 and 2 have been labeled “PRIOR ART” AS REQUESTED.

The Applicants would like to thank the Examiner for the courtesy extended during the interview of October 6, 2005.

As discussed at the interview, an important distinction between present invention and the APA is that in the prior art, if the shaft comes out of the band, the reinforcing rib can move away and is partially withdrawn from the tail portion, as clearly illustrated in Fig. 1. In order to overcome this problem, a locking mechanism is provided that locks the rib against the tail portion. One important feature of the invention is that the locking mechanism insures that the rib and the tail portion are locked together by the downwardly extending segment 35 and the slot formed between the segment 35 and the main body of the tail portion 15. Another feature of the invention is that the rib 17 and tail portion 15 remain locked together while the shaft 27 is disposed within the sleeve 31. Only when the shaft is completely removed from the sleeve 31 can the rib 17 move down to disengage from the tail portion 15.

These two features are clearly absent from APA. Moreover, the features are not found in the cited prior art either. The Examiner cited U.S. Patent No. 6,098,921 (Dube) for disclosing a member with a tab-slot arrangement “with a hook shaped tab to prevent the backward motion of the tab in the slot,” and in the Examiner’s opinion, it would be obvious for a person skilled in the art to combine Dube with the APA and render The Applicant respectfully traverses these rejections for several reasons on the following ground.

First, Dube pertains to a removable free standing divider unit for a shelf. Once set, the divider unit remains standing in its position at all times without changing its position. On the other hand, the present invention pertains to a hinge that supports and positions the screen of a laptop computer. The screen is moved by a user at least once, every time the laptop is turned on or off, and very often even in between.

Second, in Dube, once the parts are locked together, the divider 11 is locked into its vertical position and moves no more. On the other hand in the present invention, the claimed hinge becomes fully operational, and remains operational as long as the shaft is in the sleeve.

Third, the shear size of the product in Dube is different from a laptop.

Fourth, in Dube the mating between the shelf and the divider consists of three sets of parallel members: tabs 3, tabs 9 and projections 6. These elements are aligned with each other and the divider is installed and removed by sequentially inserting and removing elements from appropriate slots in the shelf as the divider is positioned, rotated and translated with respect to the shelf. In the present invention, different elements and motions are used. The rib is first inserted over the tab of the tail in a first direction, and then slid upward in a second direction. Next, the shaft is inserted through the rib and the sleeve of the tail portion thereby interlocking the rib and the tail portion.

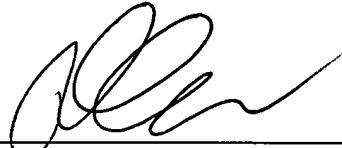
Because of these differences, as well as the differences between structure and end-use, it is submitted that these references pertain to different field of endeavor and that a person skilled in the mechanical construction of laptop compute would not take into consideration arrangements for shelf dividers. In other words, Dube has nothing to do with the present invention and should be omitted as being irrelevant

Moreover, it is submitted that even if Dube would be relevant it still does not render the subject invention obvious. There is nothing in this reference to suggest that it has any applicability or could be used in any shape or form to a laptop. There is nothing in the Dube to teach a person skilled in the art how to modify the APA to prevent axial motion—as required by the claims. In fact the term ‘axial motion’ has no meaning in Dube at all.

It is respectfully submitted that the subject application is patentably distinguishable over the prior art of record and therefore it should be allowed.

Respectfully submitted,

GOTTLIEB RACKMAN & REISMAN PC
Attorneys for Applicant
270 Madison Avenue
New York, New York 10016-0601
Telephone: (212) 684 3900
Telefax: (212) 684 3999

By: 
WEISZ, Tiberiu
Reg. No. 29,876

Dated: October 31, 2005

TW:eg

Enc. - Two (2) Sheets of Replacement Drawings
Petition for Extension of Time under 37 C.F.R. Sec. 1.136(a)